TO:

Acting Chief Administrator

Independent Police Review Authority

FROM:

Inv. Michael Goldston, #109

SUBJECT:

LOG #1045668 / U# 11-23

REFERENCE:

RD #HT314562/Robbery Armed – Handgun

RD #HT317860/Homicide – Justifiable Homicide

OFFICER #1

MARK, Joseph, Sergeant of Police, Star 2082, PA/M, Unit 003,

INVOLVED:

Employee No. DOB: DOA: 28SEP98,

On duty, In Uniform.

OFFICER #2

UCHMAN, Roxane, Sergeant of Police, Star 2236, H/F, Unit 003,

INVOLVED:

Employee No. DOB: DOA: 02AUG99,

On Duty, In Uniform.

[DID NOT DISCHARGE WEAPON]

OFFICER #1

INJURIES:

None reported.

OFFICER #2

INJURIES:

None reported.

SUBJECT:

B/M, DOB:

Chicago, IR #

SUBJECT'S

INJURIES:

Gunshot wound (GSW), upper left back, lodged.

DECEASED

INITIAL

INCIDENT:

Armed Robbery

DATE/TIME/

LOCATION OF

INCIDENT:

25 May 2011/1958 Hours/

Street.

SUMMARY OF INCIDENT:

Sergeant Joseph Mark, #2082, Beat 340, and Sergeant Roxane Uchman, #2236, Beat 330, were working together in a marked vehicle. Sergeant Uchman was driving and Sergeant Mark was in the front passenger seat. They were in the vicinity of 70th & Stony Island Avenue (1600E) when they monitored a radio call of a robbery that had just occurred at 70th & Creiger (1800E). As they responded to the scene, they were flagged down by a black male in a vehicle who told the sergeants that two males had just robbed him, and pointed at two individuals² walking in the opposite direction. A description of the offenders was given during the radio call; and matched the description. The sergeants stopped their vehicle and got out with their weapons drawn. announced their office and ordered and to stop. began to slow down and was stopping. Sergeant Mark followed who began to walk faster. As Sergeant Mark attempted to catch up with turned toward him and drew a handgun from his waistband, and started to turn toward Sergeant Mark with the Sergeant Mark fired one round, striking in the upper left collapsed to the ground, appearing to toss his weapon over back/shoulder. some hedges as he did. Fran, and Sergeant Uchman returned to the squad car and pursued him. She located him in some bushes at 68th & Bennett (1900E) and took him into custody. Sergeant Mark requested medical attention for notifications. weapon was recovered by an assist unit.

¹ Now know as Anton

² Now know as the Subject,

INVESTIGATION:

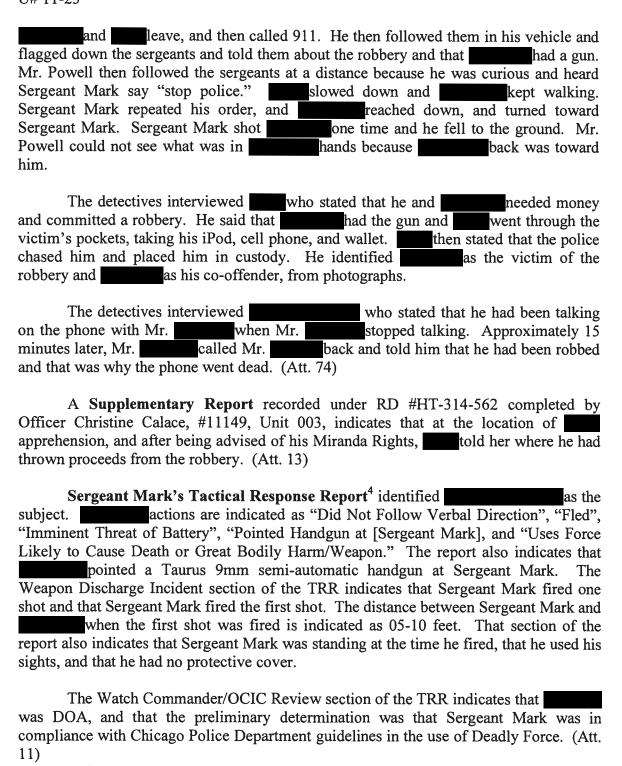
General Offense Case Report HT-314-562 identifies the parties involved in the incident and refers the reader to a Supplementary Report under the same RD number for details, (Att. 8)

A Case Supplementary Report for RD #HT-314-562 identifies the parties involved in the incident and notification information. It refers the reader to the Justifiable Homicide Cleared and Closed Case Supplemental Report [sic] recorded under RD number HT-317-860 for details. (Att. 70)

A Case Supplementary Report for RD #HT-317-752, completed by Detective John Otto, #20882 and other Area 2 Homicide detectives indicates they were assigned to investigate an Armed Robbery at 1929 East 69th Street that resulted in an Officer Involved Shooting with the offender at Northwestern Memorial Hospital in critical condition with a single gunshot wound. Upon arrival, the detectives learned that there were two additional crime scenes: the location of the Armed Robbery, and the location at which proceeds from the robbery were recovered. The detectives noted blood on the sidewalk at 6900 South Euclid Avenue (1932E) and a blue steel handgun in the grass on the east side of the residence. A single .45 shell casing was located in the grass on the north side of the residence.

The detectives interviewed Sergeant Mark, who related basically the same
account of the incident as that in the Summary of Incident. In the interview with
detectives, Sergeant Mark related that he and Sergeant Uchman were flagged down by a
concerned citizen, who pointed out and and
The detectives interviewed Sergeant Uchman, who related basically the same
account of the incident as that in the Summary of Incident. She indicated that as Sergeant
Mark approached and she approached she heard one gunshot. Sergeant
Uchman looked toward Sergeant Mark and observed on the ground. When
Sergeant Uchman took sinto custody at 68th & Bennett, he told her that he had
thrown some things as he ran. During a protective pat down search, Sergeant Uchman
found an iPod in pocket.
The detectives interviewed a "PO Ameen" ³ who related that when he responded to the shooting scene, he located a gun 8-10 feet south of who was still lying on the ground. PO Ameen guarded the weapon until Crime Laboratory personnel recovered it during their processing of the scene.
The detectives interviewed who indicated that he observed the robbery, with pointing a handgun at Mr. s face. Mr. Powell watched

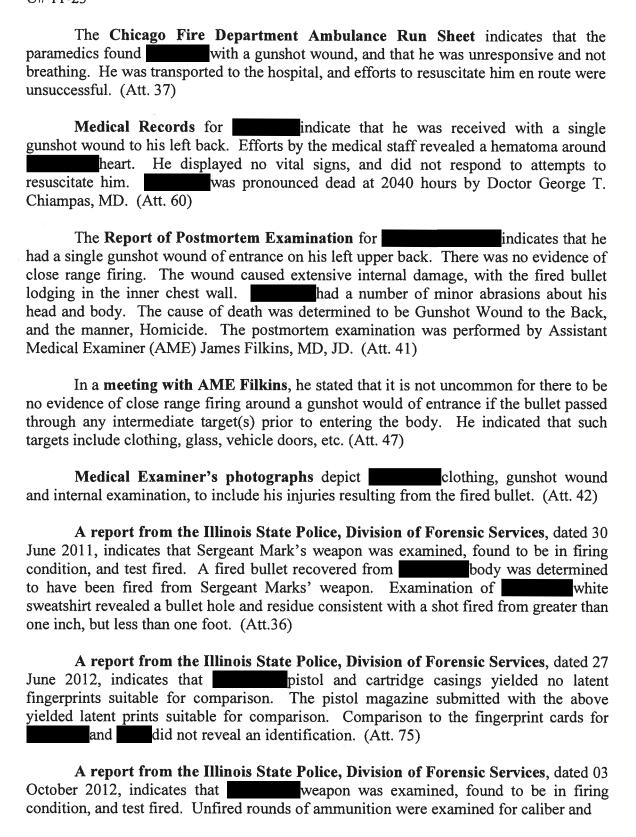
³ There is no other reference to a PO Ameen in any police reports; the 'Personnel Assigned' Section of the Supplementary Report for RD #HT-317-860 (Attachment 74) identifies a "PO A. Mustafa, #16130". An Alpha/Star Query search identified that officer as Officer Ameen Mustafa.

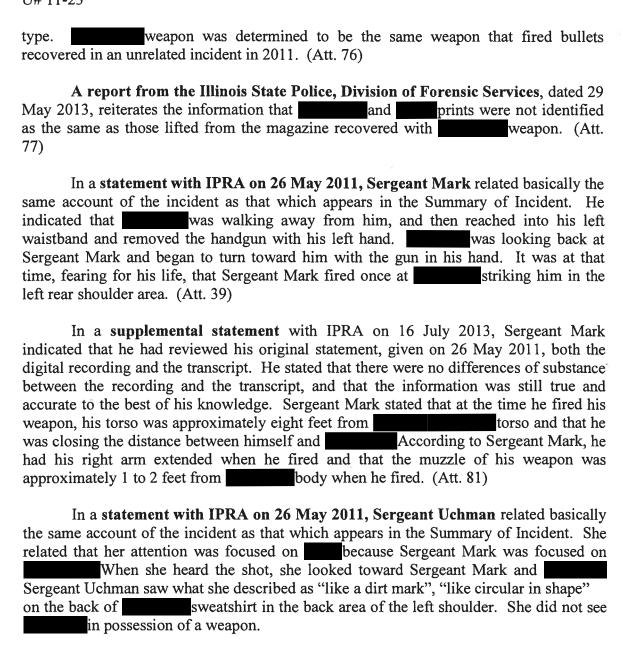


⁴ TRR

5 OBR

According to the Officer's Battery Report⁵, Sergeant Mark was on duty, in uniform, and working with one partner in a squad car. The Type of Activity was, "Other." Sergeant Mark was not injured as a result of the incident. The Manner of Attack was "Other" and Type of Weapon/Threat was "Firearm." The weather was clear with an approximate temperature of 58 degrees. It was not known if actions were drug or gang related. Att. 12) Arrest Report indicates he was taken into custody after being an active participant in an Armed Robbery that resulted in an Aggravated Assault of a Police Officer and his co-offender being shot and killed. was charged with Armed Robbery and First Degree Murder. (Att. 9) A Request for In-Car Camera video yielded negative results. (Att. 35, 57) A canvass conducted by IPRA resulted in no additional witnesses. (Att. 7) IPRA personnel identified an individual named who informed them that he did not witness the shooting, but he received numerous calls from two friends, "Chris" and "Greg" who told him that one of them had a gun and that they were going to commit a robbery. While on the phone with the two, gunshot. (Att. 6) IPRA efforts to interview and (identified from OEMC records) were unsuccessful. (Att. 78) **IPRA efforts to interview** were unsuccessful. (Att. 82, 86) Wireless telephone records did not show any calls between the offenders and during the time of the robbery/shooting. (Att. 26, 27) Office of Emergency Management & Communications (OEMC) traffic includes call to 911 and CPD transmissions. Under Event Number 1114515205, the shooting of and apprehension of are documented. (Att. 15) The Crime Scene Processing Reports indicate that units from the Mobile Crime Lab processed the three scenes, and took line-up photographs that included (Att. 50, 51, 53) The Mobile Crime Lab photographs and Crime Scene video depict the scenes, recovered evidence. and the location at which weapon was recovered; they also depict the gunshot wound to upper left back. (Att. 52)





CONCLUSION AND FINDINGS:

This investigation found that the use of deadly force by was in compliance with Chicago Police Department policy and Illinois State Statutes. According to the Chicago Police Department's General Order 02-08-03, III:

- A. "a sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:
 - 1. to prevent death or great bodily harm to the sworn member or to another person, or:
 - 2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believers that the person to be arrested:
 - a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;
 - b. is attempting to escape by use of a deadly weapon or;
 - c. Otherwise indicates that he or she will endanger human lie or inflict great bodily harm unless arrested without delay."

DATE INITIATED:

25 May 2011

DATE COMPLETED:

31 July 2013

ELAPSED TIME:

789 Days

